



— State of —  
**North Dakota**  
*Office of the Governor*

**John Hoeven**  
*Governor*

**Executive Order 2010-06**

**WHEREAS**, I have declared a flood emergency for Barnes, Benson, Burleigh, Cass, Dickey, Emmons, Foster, Grand Forks, Mercer, Nelson, LaMoure, Pembina, Ramsey, Ransom, Richland, Stutsman, Traill and Walsh counties, and the Spirit Lake Reservation because of excessive fall rains and severe winter and spring storms; and

**WHEREAS**, ice-blocked culverts, rivers, and drainage systems are creating overland flooding and continued precipitation in combination with melting snowpack threatens to adversely impact transportation infrastructure; public and private property, sewage and water systems; and is causing damage; and

**WHEREAS**, there exists a threat of potential inundation and/or damage to personal and public property; and

**WHEREAS**, based upon these factors, actions are necessary to address threats to public health and safety, reduce economic hardships, and continue response, recovery and mitigation efforts by ensuring people and equipment are able to be relocated to help with the flood relief efforts.

**NOW, THEREFORE**, I, John Hoeven, Governor of North Dakota, by virtue of the authority vested in me by Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code § 37-17.1, do hereby declare that a state of emergency exists in North Dakota that requires relief from North Dakota Century Code § 39-32-02 and § 15.1-07-20 pertaining to hours of service for drivers of commercial motor vehicles while transporting flood fighting materials, goods, or supplies to fight and mitigate flooding statewide.

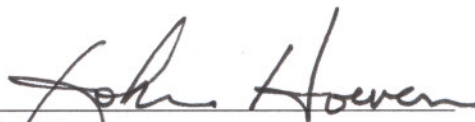
This order is issued on the foregoing bases and on the following conditions:

1. Nothing in this order shall be construed to relieve commercial motor carriers operating under this order from regulations under state law pertaining parts and accessories necessary for the safe operation of vehicles.

2. Carriers, while under this order, shall not require or allow fatigued drivers to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours before the driver is required to return to service.

This order shall be effective immediately and will remain in effect until 12:01 a.m. CDT April 1, 2010, or for the duration of the emergency, whichever is less.

Executed at Bismarck, North Dakota, this 15 day of March 2010.

  
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John Hoeven  
Governor

ATTEST:

  
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Secretary of State

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Deputy